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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/798,827	03/10/2004	Linda M. Weigel	6395-68161

CONFIRMATION NO. 5019

## FORMALITIES LETTER



\*OC000000013706764\*

24197  
 KLARQUIST SPARKMAN, LLP  
 121 SW SALMON STREET  
 SUITE 1600  
 PORTLAND, OR 97204

Date Mailed: 09/02/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/17/2004 GWORDF1 00000055 10798827

FILED UNDER 37 CFR 1.53(b)

01 FC:1001	770.00 OP
02 FC:1201	258.00 OP
03 FC:1202	324.00 OP
04 FC:1051	130.00 OP

**Filing Date Granted****Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 4,6,8,9,10,11,12,18,19,20 are not in compliance with 37 CFR 1.52(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$582** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1482** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$582**
  - **\$258** for **3** independent claims over 3.
  - **\$324** for **18** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

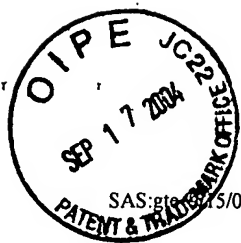
Y.G.

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



SAS:ptc/04/04 6395-68161-01 310169.doc

PATENT  
Attorney Reference Number 6395-68161-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** Weigel et al.

**Application No.** 10/798,827

**Filed:** March 10, 2004

**Confirmation No.** 5019

**For:** OLIGONUCLEOTIDE PROBES FOR  
DETECTING ENTEROBACTERIACEAE  
AND QUINOLONE-RESISTANT  
ENTEROBACTERIACEAE

**Examiner:** Not yet assigned

**Art Unit:** 1653

**Attorney Reference No.** 6395-68161-01

**CERTIFICATE OF MAILING**

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP MISSING PARTS, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Agent  
for Applicant(s)

Date Mailed September 15, 2004

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P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**MISSING PARTS TRANSMITTAL LETTER**

Enclosed for filing in the application referenced above are the following:

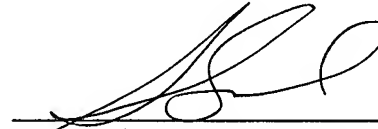
- ☒ Copy of Notice to File Missing Parts of Application--Filing Date Granted
- ☒ Combined Declaration and Power of Attorney
- ☒ Notice of Transmittal of Substitute Specification
- ☒ Substitute Specification (copy of PCT Publication No. WO 99/50458)
- ☒ Preliminary Amendment
- ☒ Nucleotide and/or Amino Acid Sequence Submission
  - ☒ Computer Readable Copy
  - ☒ Paper Copy (identical to computer copy), 9 pages
  - ☒ Statement in compliance with 37 C.F.R. § 1.821 verifying identity of above copies
- ☒ Basic Filing Fee of \$770.00
- ☒ Additional claim fee of \$582.00
- ☒ Surcharge for Late Filing of Fee or Oath or Declaration
  - ☒ \$130.00 – Large Entity
- ☒ A check in the amount of \$1,482.00 to cover the above-listed fees

- ☒ The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

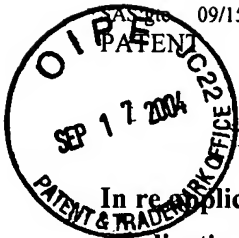
KLARQUIST SPARKMAN, LLP

By

  
\_\_\_\_\_  
Susan Alpert Siegel, Ph.D.  
Registration No. 43,121

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 226-7391  
Facsimile: (503) 228-9446

cc: Docketing



09/15/04 310192.doc

Attorney Reference Number 6395-68161-01

Application Number 10/798,827

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Weigel et al.

Application No. 10/798,827

Filed: March 10, 2004

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Examiner: Not yet assigned

Art Unit: 1653

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Agent  
for Applicant(s)

Date Mailed September 15, 2004

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NOTICE OF TRANSMITTAL OF SUBSTITUTE SPECIFICATION

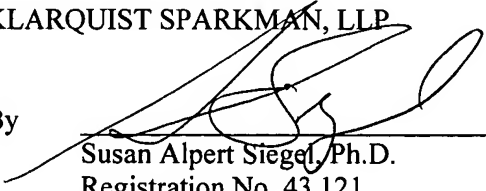
This responds to the Notice to File Missing Parts ("Notice") dated September 2, 2004, for the above-referenced application. The Notice calls for the submission of a substitute specification, since several pages of the previously-submitted specification are not in compliance with 37 C.F.R. § 1.52(a). Transmitted herewith is a substitute specification that is identical to the previously-submitted specification, but has been printed on a high-quality printer. No new matter is added. Entry of this substitute specification is respectfully requested.

If there are any remaining problems with the specification, please contact the undersigned at the telephone number listed below.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

  
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